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Reply under 37 C.F.R. § 1.116
Expedited Procedure
Technology Center 1648
PATENT APPLICATION

ATTORNEY DOCKET NO.: 27866/34810

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Gray, *et al.*
Serial No: 09/509,165
Internat'l Filing Date: September 28, 1998
National Stage §371(c): June 12, 2000
For: "Macrophage Derived Chemokine
(MDC), MDC Analogs, MDC
Inhibitor Substances, and Uses
Thereof"

Group Art Unit: 1648

Examiner: Li, Bao Q.

) I hereby certify that this paper is being
) deposited with the United States Postal Service
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) Commissioner for Patents, P.O. Box 1450,
) Alexandria, VA 22313-1450 on October ,
) 2003.

David A. Gass

AMENDMENT AND CONDITIONAL NOTICE OF APPEAL

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants request reconsideration of the claims in view of the following remarks prior to further examination on the merits.

Amendments to the Specification: None

Amendments to the Claims are reflected in the listing of the claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

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(only)

REMARKS

In an Advisory Action dated November 30, 2005, the Patent Office indicated that claims 26, 30, 31, 38-39 and 47-49 were allowable, and the application would be in condition for allowance if claims 42-46 and 50-54 were canceled. This amendment cancels claims that are not yet allowed. Allowance of the application is requested.

In the event that the case is not allowable, the applicants request that this submission also be treated as a Notice of Appeal, and request telephone or written notification of this.

In the event that a petition for 3 months extension of time is required, please consider this a request therefor.

Please charge any necessary petition fee or appeal fee to Deposit Account No. 13-2855.

The examiner is invited to contact the undersigned at the telephone number listed below in order to discuss any remaining issues or matters of form that will move this case to allowance.

Dated: February 14, 2005

Respectfully submitted,



David A. Gass

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